

# COMMITTEE AMENDMENT FORM

DATE: 08/29/ 07

COMMITTEE      ZONING

PAGE NUM. (S)

ORDINANCE I. D. #07-O-1351

SECTION (S)

RESOLUTION I. D. #07-R-

PARA.

AMENDS THE LEGISLATION BY ADDING SEVEN (7) CONDITIONS WHICH  
INCLUDES A SITE PLAN DATED MARCH 19, 2007 AND APRIL 30, 2007.

AMENDMENT DONE BY COUNCIL STAFF 08/29/07

City Council  
Atlanta, Georgia

**07-O-1351**

AN AMENDED ORDINANCE  
BY: ZONING COMMITTEE

**Z-07-72**  
Date Filed: 6-12-07

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

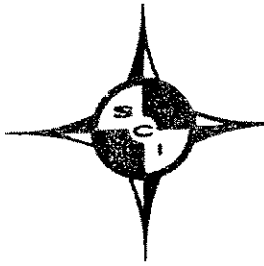
SECTION 1. That the Zoning Ordinance of the city of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **26, 28 and 30 Peachtree Avenue, N.E.**, be changed from the RG-2 (Residential General-Sector 2) District to the RG-3-C (Residential General-Sector 3-Conditional ) District, to wit:

ALL THAT TRACT or parcel of land lying and Land Lot 100, 17<sup>th</sup> District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.



# SCI Development Services

ENGINEERS - SURVEYORS - LAND PLANNERS

RECEIVED  
JUN 12 2007  
BUREAU OF  
PLANNING

E-07-72

## LEGAL DESCRIPTION

All that tract or parcel lying and being in Land Lot 100 of the 17<sup>th</sup> District of Fulton County, Georgia in The City of Atlanta and being addresses no. 26, 28 and 30 Peachtree Avenue and being more particularly described as follows:

BEGINNING at an iron pin on the northerly right-of-way line of Peachtree Avenue (50-foot right-of-way), said pin being located 700.00 feet in an easterly direction along said right-of-way line from the easterly right-of-way line of Peachtree Road; thence leave said right-of-way line N02°23'27"E a distance of 238.20 feet to an iron pin; thence S88°33'25"E a distance of 120.00 feet to an iron pin; thence S88°52'15"E a distance of 59.80 feet to an iron pin; thence S02°25'21"W a distance of 234.77 feet to an iron pin on the northerly right-of-way line of Peachtree Avenue; thence along said right-of-way line N89°55'00"W a distance of 59.85 feet to an iron pin; thence N89°40'37"W a distance of 119.92 feet to THE POINT OF BEGINNING.

This tract or parcel contains 0.976 acre of land.

2330 HEWATT ROAD - SNELLVILLE, GEORGIA 30039  
(770) 736-7888 FAX (770) 736-4623  
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**Conditions for Z-07-72 for 26, 28 & 30 Peachtree Avenue, N.E.**

**1. Site Plan**

The subject property, including without limitation, all improvements to be located thereon, shall be developed in accordance with that certain attached zoning site plan for 26, 28 & 30 Peachtree Avenue prepared by SCI Development Services dated March 19, 2007 known as Exhibit 1 (the "Site Plan") and Harrison Design Associates dated April 30, 2007. The site plan shall reflect the total number of town home units, the floor area ratio, vehicular ingress and egress parking layout and the location of HVAC compressors.

The maximum number of units shall be fifteen (15) with a maximum of three stories. The maximum floor area ratio shall be 0.696 per acre. Vehicular ingress and egress shall only occur via Peachtree Avenue. A total of 38 parking spaces shall be provided as follows: a) garage units = 30 spaces and b) surface/guest parking= 8 spaces.

The developer and the designated Garden Hills neighborhood representative will review the site plan and agree on the location of HVAC compressors prior to the issuance of a building permit. Evidence of the agreed upon location of the compressors shall be submitted to the Bureau of Planning prior to the issuance of a building permit.

The site plan shall note that dumpsters will not be allowed and that each townhome unit will have individual wheeled garbage containers, as approved by the Department of Public Works.

**2. Appearance and Height of Buildings**

The buildings constructed on the subject property shall be designed and developed substantially in accordance with the attached elevation renderings by Harrison Design Associates dated April 30, 2007 labeled as Exhibit 2, Exhibit 3 and Exhibit 4. The exterior facades, inclusive of all four sides, of each town home shall be substantially of brick material. The maximum average height of the buildings shall be 35 feet.

**3. Tree Recompense**

Subject to the approval of the City of Atlanta Bureau of Buildings (City Arborist), the developer, will arrange for the tree recompense (Crestar has calculated has calculated a recompense to be  $(31 \text{ trees} \times \$100) + (450 \text{ inches} \times \$30) = \$16,600.00$ ) funds pertaining to the development of the Property to used and expended for tree plantings in the Garden Hills neighborhood, pursuant to a tree planting plan to be hereafter approved by Owner and GHCA (the "Tree Planting Plan"). The Certificate of Occupancy shall not be issued until the Tree Planting Plan has been approved by the City of Atlanta City Arborist. The Certificate of

Occupancy will not be issued until approval of compliance with the Tree Planting Plan referenced above is confirmed in writing by the City Arborist

4. **Gates, Walls and Fences**

The project shall not be gated. As shown on the Site Plan and on the attached front rendering, there shall be two (2) stone or brick retaining walls facing Peachtree Avenue on each side of the entrances to the project. The retaining walls shall be no more than 4 feet in height above the average grade. Fences along the eastern, western and northern property lines shall be no more than eight (8) feet in height in accordance with Zoning Ordinance 16-28.008(5)(b)

5. **Lighting**

Exterior lighting, including floodlights on individual townhome units, on all buildings shall be designed, shielded and constructed so as to minimize light spill into those existing surrounding residential structures and properties.

6. **Construction Traffic Access/ Work Hours/Operations**

Construction traffic shall access the subject property and Peachtree Avenue from the west via Peachtree Road and not otherwise through the Garden Hills neighborhood. Hours of operation for construction activity shall be as follows:

Weekdays: 7:00am – 7:00pm  
Saturdays: 9:00am – 7:00pm  
Sundays: 12:00pm – 6:00pm

The developer shall ensure that all construction activity is conducted in accordance with established city ordinances, including the removal of trash and the pick up of debris. The developer shall provide the Garden Hills neighborhood an available contact person and telephone number for the duration of construction activity. This contact shall be available to answer concerns on a 24 hour basis, 7 days a week.

The site shall be fenced with a 6 foot high chain link fence with fabric screening during the life of the land disturbance permit and early construction phase (foundations). Construction parking, vehicles and employees, shall be solely within the boundaries of the property as soon as site conditions permit. Storage of building materials shall be within the boundaries of the property. No construction staging on Peachtree Avenue.

7. **Demolition**

The developer shall not be granted a demolition permit by the City (or otherwise demolish the existing improvements) unless and until the developer has received from the City a building permit to construct the foundation of the new structure.

**GRAPHIC SCALE**  
1" = 20' (1/4" = 5')

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1" = 20' (1/4" = 5')

**PERMITTED CONSTRUCTION**

REAR SETBACK	10' MIN.
FRONT SETBACK	10' MIN.
SIDE SETBACK	5' MIN.
MAX. BUILDING HEIGHT	35' MAX.
MAX. LOT COVERAGE	75% MAX.
MAX. LOT AREA	10,000 SQ. FT. MAX.
MAX. LOT WIDTH	100' MAX.
MAX. LOT DEPTH	100' MAX.
MAX. LOT AREA	10,000 SQ. FT. MAX.
MAX. LOT WIDTH	100' MAX.
MAX. LOT DEPTH	100' MAX.

**PERMITTED CONSTRUCTION**

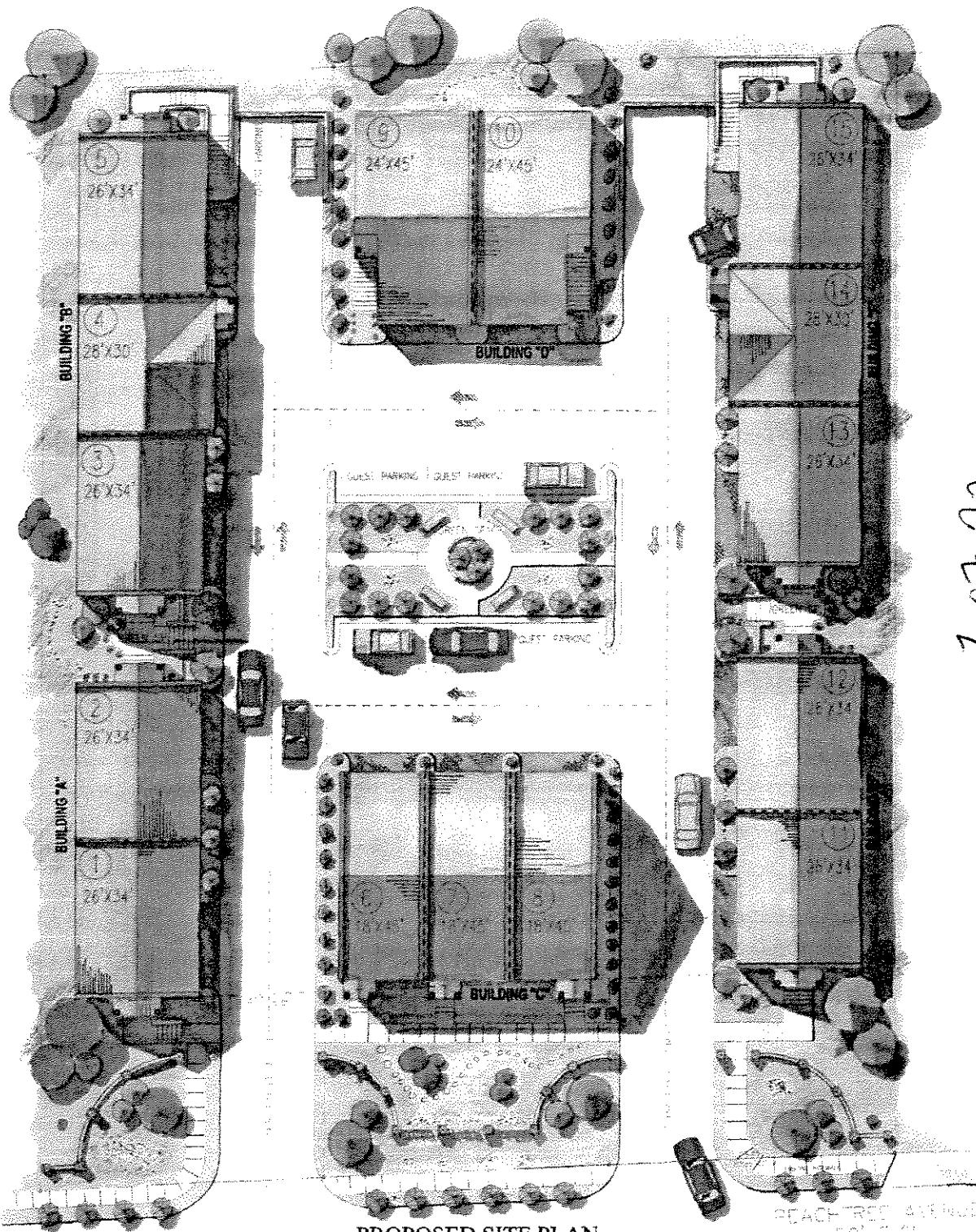
REAR SETBACK	10' MIN.
FRONT SETBACK	10' MIN.
SIDE SETBACK	5' MIN.
MAX. BUILDING HEIGHT	35' MAX.
MAX. LOT COVERAGE	75% MAX.
MAX. LOT AREA	10,000 SQ. FT. MAX.
MAX. LOT WIDTH	100' MAX.
MAX. LOT DEPTH	100' MAX.

**PERMITTED CONSTRUCTION**

REAR SETBACK	10' MIN.
FRONT SETBACK	10' MIN.
SIDE SETBACK	5' MIN.
MAX. BUILDING HEIGHT	35' MAX.
MAX. LOT COVERAGE	75% MAX.
MAX. LOT AREA	10,000 SQ. FT. MAX.
MAX. LOT WIDTH	100' MAX.
MAX. LOT DEPTH	100' MAX.

Exhibit 1

2-07-72



2-07-72

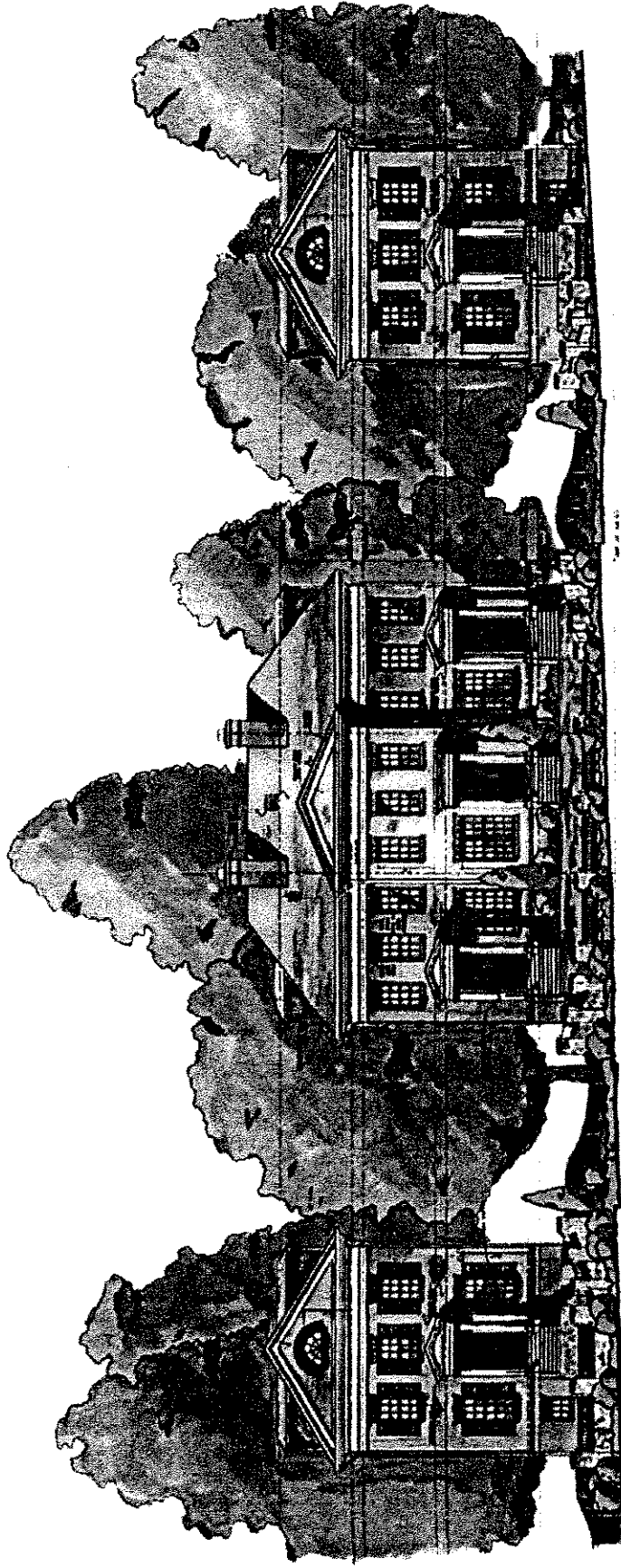
SITE SUMMARY				
ZONING: RG-3				
481 LOTS AREA (SUA): 42,462 S.F. (97 AC)				
DISTURBED LAND AREA: 42,462 S.F. (97 AC)				
TOTAL NUMBER OF UNITS = 15				
15 TOWNHOME UNITS @ 1 STORY				
ZONING- RG-3 RESIDENTIAL GENERAL SECTION 3				
REQUIREMENTS OF RG-3 ZONING (NOTE 1)				
Floor Area	Take Open Space	Landscaped Open Space	Parking Spaces	Per Dwelling Unit
REQUIRE	0.66%	6%	4%	95
PROVIDED	0.66%	23	27	25

LAND USE INTENSITY RATIOS (NOTE 1 AND NOTE 2)	
Take Site Area	42,462 S.F.
50% of Undisturbed R.O.W.	21,231 S.F.
Total Gross Land Area (SUA)	42,462 S.F.
Final Proposed (Overall Building) SF/Gross Land Area	2,630
Total Gross Land Area (SUA)	42,462 S.F.
Total Gross Building Square Footage Proposed	30,832 S.F.
TOTAL OPEN SPACE CALCULATION	
Total Open Space Required = 64 (0.66%) x 42,462 S.F. = 28,179 S.F. Required	
Total Gross Land Area (SUA)	42,462 S.F.
Subtract Building Footprint	13,342 S.F.
Add Open / Public Open Space	5,278 S.F.
Total Open Space	34,398 S.F. Provided

USABLE OPEN SPACE CALCULATION	
Total Usable Open Space Required = 4 (0.66%) x 48,162 S.F. = 19,265 S.F. Required	
Total Gross Land Area (SUA)	42,462 S.F.
Subtract Building Footprint	13,342 S.F.
Subtract Surface Areas and Paved	8,823 S.F.
Total Usable Open Space	20,297 S.F. Provided
PARKING CALCULATIONS	
Required Parking = 95 (0.66%) x 15 (Number of Units) = 15 Required	
Provisioned Spaces Provided	25
Total Surface Parking Spaces	25
Total Spaces Provided	25 Spaces Provided
NOTES	
1. PER ATLANTA ZONING DISTANCE SECTION 10.1.4.1.1: TABLE 1 - LAND USE INTENSITY RATIO	
2. LAND USE CALCULATIONS PER MIDLAND ENGINEERING / CIVIL ENGINEER	

EXHIBIT 2





1 PROPOSED ELEVATIONS  
A-1 100

2-07-92

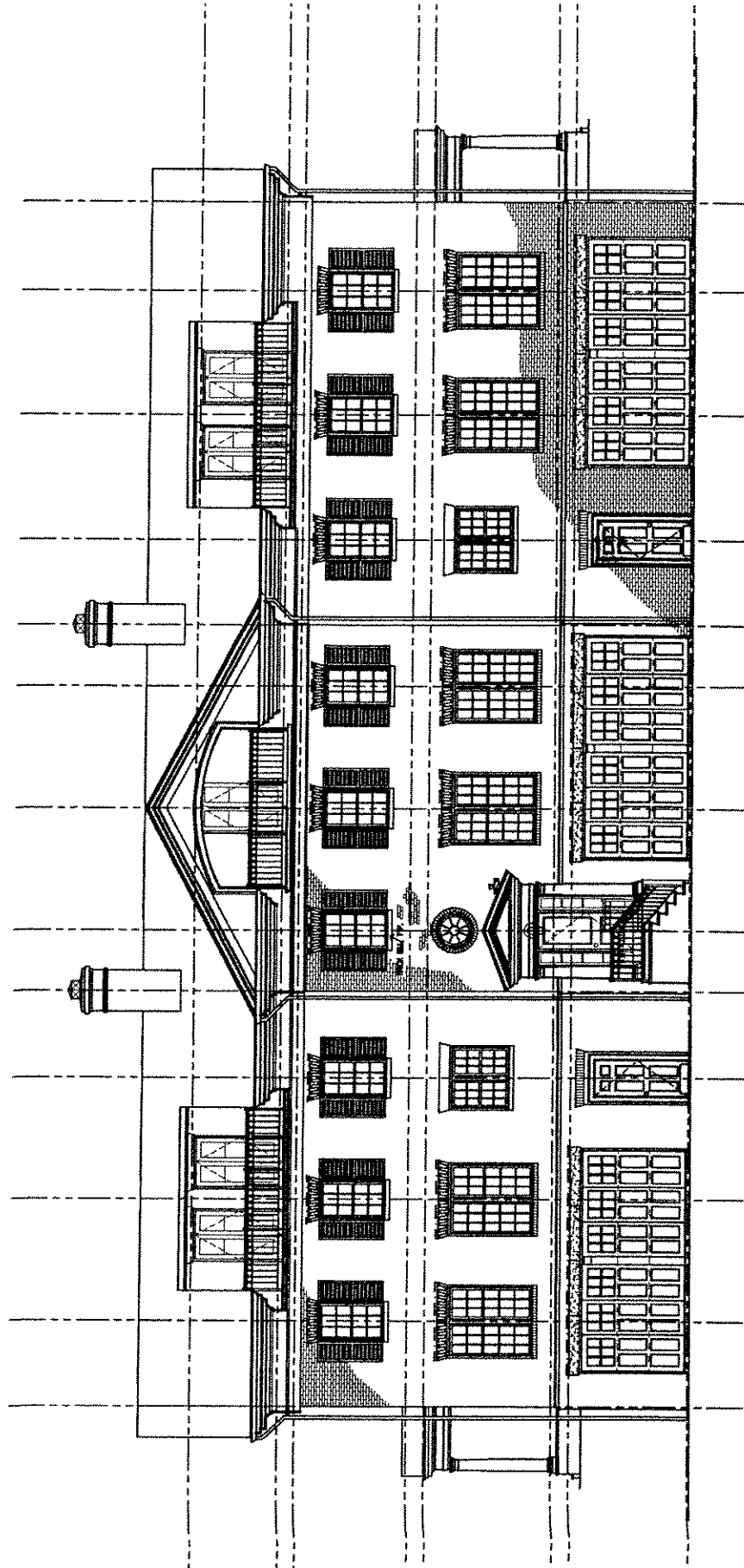


# 30 PEACHTREE AVENUE: PROPOSED STREETSCAPE

ATLANTA, GEORGIA

EXHIBIT 3





2-67-72

Exhibit 4

City Council  
Atlanta, Georgia

**07-0-1351**

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BY: ZONING COMMITTEE

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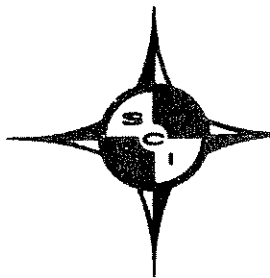
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